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 DENNIS MONTGOMERY, the MONTGOMERY FAMILY  
 TRUST, EDRA BLIXSETH and OPSRING LLC

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

DENNIS MONTGOMERY and the  
 MONTGOMERY FAMILY TRUST,

Plaintiffs,

vs.

ETREPPID TECHNOLOGIES, LLC, WARREN  
 TREPP, and the UNITED STATES  
 DEPARTMENT OF DEFENSE,

Defendants.

AND RELATED CASES.

Case No. 3:06-CV-00056-PMP-VPC  
 BASE FILE

(Consolidated with Case No. 3:06-CV-  
 00145-PMP-VPC)

**DECLARATION OF EDRA BLIXSETH  
 IN SUPPORT OF SUPPLEMENTAL  
 RESPONSE TO MICHAEL FLYNN'S  
 MOTION TO CERTIFY JUDGMENT;  
 EXHIBIT**

**DECLARATION OF EDRA BLIXSETH**

I, Edra Blixseth, declare as follows:

1. I am over eighteen years of age and a resident of Rancho Mirage, California. I was a party to the within lawsuit and I am familiar with certain allegations made by Michael Flynn ("Mr. Flynn") primarily concerning my assets, including a property in Cabo San Lucas, Mexico. Accordingly, I am competent to testify to the fact set forth herein.

2. In a January 6, 2009 filing captioned "Reply of Michael Flynn to Montgomery Response to Motion to Certify Judgment" (Docket # 926) ("Reply"), Mr. Flynn states that "Just yesterday, Monday, January 5, 2009, Blixseth was scheduled to sell her Cabo property in a fire-sale for approximately \$5 Million Dollars, (half its value) . . . presumably to finance the appeal." (Reply, p. 1, lns. 14-16.)

3. Blx Group, Inc. ("BGI") owns a property in Cabo San Lucas known as "Casa Captiva" through a Mexican Trust. I own 100% of BGI's shares.

4. Casa Captiva was not listed for sale on January 6, 2009, or at time prior to that date. Accordingly, there was no offer to purchase Casa Captive and BGI was not scheduled to sell the property on January 5, 2009, or at any other time.

5. I have reason to believe that Mr. Flynn's statements are based on false information being disseminated by my former husband, Timothy Blixseth ("Mr. Blixseth"). My belief is based on an email I received on January 3, 2009, from Chris Snell ("Mr. Snell"), a real estate broker in Cabo San Lucas who is a friend of Mr. Blixseth's. Mr. Snell's email stated that "rumor has it that you are selling Captiva to an investment group for \$5 million."

6. I responded to Mr. Snell's email by denying the false rumor: "Like many that are going around about me, this rumor is not true, nor would I sell for this price or the one you suggest."

7. Mr. Snell then responded: "If you do decide to sell it and want to give us 60 or 90 days, I am certain we can get you an excellent price substantially higher. I was simply concerned that if the rumor was true, I wanted the opportunity to help you get a better deal." True and correct

1 copies of the email exchanges between me and Mr. Snell are attached and incorporated as Exhibit  
2 A hereto.

3 I declare under penalty of perjury under the laws of the United States that the foregoing is  
4 true and correct.

5 Executed on January 7, 2009, at Rancho Mirage, California

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9 Edra Blixseth  
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**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of the Law Offices of Liner Yankelevitz Sunshine & Regenstreif LLP, and that on January 7, 2009, I caused to be served the within document described as **DECLARATION OF EDRA BLIXSETH IN SUPPORT OF SUPPLEMENTAL RESPONSE TO MICHAEL FLYNN'S MOTION TO CERTIFY JUDGMENT; EXHIBIT** on the interested parties in this action as stated below:

<p>J. Stephen Peek, Esq.  Jerry M. Snyder, Esq.  Adam G. Lang, Esq.  Shane M. Biornstad, Esq.  Holland &amp; Hart LLP  5441 Kietzke Lane, Second Floor  Reno, Nevada 89511  (775) 327-3000; 786-6179 - FAX  <a href="mailto:speek@hollandhard.com">speek@hollandhard.com</a>;  <a href="mailto:jsnyder@hollandhartcom">jsnyder@hollandhartcom</a>,  <a href="mailto:alang@hollandhart.com">alang@hollandhart.com</a>,  <a href="mailto:sbiornstad@hollandhart.com">sbiornstad@hollandhart.com</a>  Attorneys for eTreppid and Warren Trepp</p>	<p>Carlotta P. Wells, Sr. Trial Counsel  U.S. Dept. of Justice  Fed. Programs Branch  Civil Division, Room 7150  20 Massachusetts Avenue, NW  Post Office Box 883  Washington, D.C. 20044  (202) 514-4522; 616-8470 - FAX  E-mail: <a href="mailto:Carlotta.wells@usdoj.gov">Carlotta.wells@usdoj.gov</a>  Attorneys for Department of Defense</p>
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<p>Roland Tellis, Esq.  Marshall B. Grossman, Esq.  Heather L. Ristau, Esq.  Bingham McCutchen LLP  The Water Garden  1620 26th Street, Fourth Floor, North Tower  Santa Monica, CA 90404-4060  Fax: (310) 907-2143  E-mail: <a href="mailto:roland.tellis@bingham.com">roland.tellis@bingham.com</a>;  <a href="mailto:marshall.grossman@bingham.com">marshall.grossman@bingham.com</a>;  <a href="mailto:heather.ristau@bingham.com">heather.ristau@bingham.com</a>  Attorneys for Michael Sandoval</p>	<p>Robert E. Rohde, Esq.  Gregory Schwartz, Esq.  Rohde &amp; Van Kampen  1001 Fourth Avenue, Suite 4050  Seattle, Washington 98154  Fax: (206) 405-2825  E-mail: <a href="mailto:brohde@rohdelaw.com">brohde@rohdelaw.com</a>,  <a href="mailto:gschwartz@rohdelaw.com">gschwartz@rohdelaw.com</a>  Attorneys for Atigeo LLC</p>

1 ☒ **[ELECTRONIC]** By filing the document(s) electronically with the U.S. District Court and  
2 therefore the court's computer system has electronically delivered a copy of the foregoing  
document(s) to the persons listed above at their respective email address.

3 I declare under penalty of perjury under the laws of the State of California and the United  
4 States of America that the foregoing is true and correct.

5 Executed on January 7, 2009, at Los Angeles, California.

6 Ellyn S. Garofalo  
(Type or print name)

/s/ Ellyn S. Garofalo

(Signature)